

Exhibit 4

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August 13, 2019

VIA E-MAIL

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**Re: *In re Novartis and Par Antitrust Litigation, 1:18-cv-04361-AKH*
 Plaintiffs' Rule 45 Subpoenas to Lupin Pharmaceuticals, Inc., Lupin
 Limited, and Novel Laboratories, Inc.**

Dear Counsel,

I write on behalf of Plaintiffs regarding the sales data that was recently produced in the above-captioned litigation by Lupin Pharmaceuticals, Inc. and Lupin Limited (together "Lupin") and Novel Laboratories, Inc. ("Novel"). We have reviewed the produced data and have several questions.

Questions 1-2 are regarding the Lupin data files, LUP-NVTS-0011429 - LUP-NVTS-0011430:

1. Table 1 lists the produced Lupin transaction-level data files. Please confirm that the produced transaction-level data files cover all of Lupin's sales, adjustments, administrative fees, chargebacks, credits, discounts, rebates, returns, etc. that in any way impact the calculation of net prices paid or volume acquired by direct purchasers of generic Exforge from product launch through present. If not please produce the missing transaction-level data in the same format as LUP-NVTS-0011429 for sales, etc. transactions and/or LUP-NVTS-0011430 for chargeback transactions.

Table 1				
Lupin Transaction-Level Data Files				
	File	Sheet	Data Type	Date Range
1.	LUP-NVTS-0011429	Sheet1	Sales and Other	March 2015 - June 2019 ("Posting date")
2.	LUP-NVTS-0011430	Exforge_CHBK_Sales	Chargeback	July 2015 - October 2018 ("Invoice_Date1")

2. Table 2 summarizes the chargeback amounts which appear in the LUP-NVTS-0011429 and LUP-NVTS-0011430 data files. Please confirm that the chargebacks in LUP-NVTS-

0011429 are duplicative of the chargebacks in LUP-NVTS-0011430? (In other words, please confirm that if the chargebacks from LUP-NVTS-0011429 were stacked/combined with the chargebacks in LUP-NVTS-0011430, the result would include double counting of chargeback dollars.) If this is not correct, please explain how to systematically construct a complete set of chargeback records without duplication or missing records.

Table 2			
Chargeback Data Summary			
	File	Total Chargeback Dollars	Date Range
1.	LUP-NVTS-0011429	\$9,535,760.30 ("Charge back" field)	July 31, 2015 - June 30, 2019
2.	LUP-NVTS-0011430	\$9,162,753.66 ("PAID CHGBK AMT" field)	July 5, 2015 – July 17, 2019

Questions 3-5 are regarding the LUP-NVTS-0011429 data file:

- Plaintiffs requested that the transaction-level return data include a return quantity field, however, the produced file (LUP-NVTS-0011429) only contains a return dollar field not a return quantity field. Please either: (a) explain how to systematically calculate the return quantity (units) for every record in LUP-NVTS-0011429 with a non-zero "Sales Returns" field value; or (b) produce the requested transaction-level return data, which should contain the following fields: customer name, product description (NDC), transaction date (month, day, year), return quantity (units), and return dollar amount.
- Please explain what the amounts shown in the "Pay. Terms (Gen)" field represent. For example, are these prompt payment/cash discounts?
- Please explain what the amounts shown in the "Write-Off" field represent. For example, are these credit dollars issued to customers? Please explain how "Write-Off" amounts are earned by customers.

Questions 6-7 are regarding the LUP-NVTS-0011430 data file:

- Please confirm the "PAID_CHGBK_AMT" field in LUP-NVTS-0011430 represents actual chargeback dollars paid to wholesalers. If not, please specify which field contains the actual chargeback dollars paid to wholesalers.
- Table 3 lists several "VALIDATION_STATUS" field values which require further explanation. Which of the "VALIDATION_STATUS" field values represent a chargeback transaction which was approved and paid? And, what does a record with a "VALIDATION_STATUS" field value of "WARNING" represent?

Table 3	
"VALIDATION_STATUS" Field Values	
1.	ERROR
2.	FETAL

3.	OVERRIDDEN-ACCEPT
4.	OVERRIDDEN-REJECT
5.	VALID
6.	WARNING

Questions 8-12 are regarding the Novel data file, NOVEL-NVTS-0018068:

8. Table 4 lists the produced Novel transaction-level datasets. However, the produced data (NOVEL-NVTS-0018068) only includes sales and chargeback transactions. Did Novel pay/issue any adjustments, administrative fees, credits, discounts, rebates, returns, etc.? If yes, please produce the requested transaction-level data covering all of Novel's adjustments, administrative fees, credits, discounts, rebates, returns, etc. that in any way impact the calculation of net prices paid or volume acquired by direct purchasers of generic Exforge from product launch through present. The transaction-level adjustments, administrative fees, credits, discounts, rebates, returns, etc. data should contain the following fields: customer name, product description (NDC), transaction type (administrative fee, rebate, return, etc.), transaction date (month, day, year), transaction quantity (units), and transaction dollar amount.

Table 4				
Novel Transaction-Level Data Files				
	File	Sheet	Data Type	Date Range
1.	NOVEL-NVTS-0018068	Novel Gross Sales Report	Sales	March 2015 – March 2016 (“Invoice Date”)
2.	NOVEL-NVTS-0018068	Cardinal CCB	Chargeback	June 2015 – March 2016 (“Invoice date”)

9. The “Cardinal CCB” tab only contains chargeback records paid to Cardinal Health. The sales records show that Novel sold product to wholesalers other than Cardinal Health (such as McKesson). Did Novel pay any generic Exforge chargebacks to wholesalers besides Cardinal Health? If yes, please produce missing transaction-level chargeback data. Any missing chargeback records should be produced in the same format as the “Cardinal CCB” data tab of NOVEL-NVTS-0018068.
10. In the “Novel Gross Sales Report” tab, what does the “Prom_Amt” field represent?
11. Please confirm “Chargeback Amount” field represents actual chargeback dollars paid to wholesalers. If not, please specify which field represents actual chargeback dollars paid to wholesalers.
12. Table 5 lists all of the products (NDCs) which appear in the NOVEL-NVTS-0018068 file broken down by data type: sales (“Novel Gross Sales Report” tab) and chargebacks (“Cardinal CCB” tab). The chargeback file only contains four of the eight products (NDCs) covered by the sales file. Did Novel pay chargebacks on all eight products listed in Table 5? If yes, please produce the missing chargeback records in the same format as the “Cardinal CCB” data tab of NOVEL-NVTS-0018068.

Table 5				
Products in “NOVEL-NVTS-0018068” Data File				
	Part#	NDC #	In “Net Gross Sales Report” tab?	In “Cardinal CCB” tab?
1.	43386-080-03	43386008003	Yes	Yes
2.	43386-081-03	43386008103	Yes	Yes
3.	43386-082-03	43386008203	Yes	Yes
4.	43386-083-03	43386008303	Yes	Yes
5.	43386-080-09		Yes	No
6.	43386-081-09		Yes	No
7.	43386-082-09		Yes	No
8.	43386-083-09		Yes	No

* * *

Please promptly provide answers to the questions above and produce all additional data, no later than August 23, 2019. The subpoenas were served on Lupin and Novel more than six months ago, and Plaintiffs can wait no longer for Lupin and Novel to produce the requested data.

Very truly yours,

/s/ Dan Chiorean

Dan Chiorean

cc: Plaintiffs’ Counsel (via email)